

ERICSSON

Attorney Docket No.: P12856

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CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO on the date indicated below.

Date: November 3, 2004*Pamela S. Newton*

Pamela S. Newton

Re: Patent Application for:
"BASE TRANSCEIVER STATION AUTOMATIC ENCRYPTION HANDLING"
 Serial No. 09/439,162
Attorney Docket No. P12856

Dear Sir:

Enclosed for filing please find the following items relating to the above-identified application:

- (1) Petition to Withdraw Holding of Abandonment (2 pages); and
- (2) Copy of previously filed Amendment After Final Request for Reconsideration (11 pages).

The commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1379.

Should you have any questions or comments concerning this matter, please feel free to contact the undersigned at 972/583-1572.

Sincerely,

Steven W. Smith

Steven W. Smith
 Reg. No. 36,684

SWS/psn

Attorney Docket No. P12856

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mikael Rosenthal
 Serial No: 09/439,162
 Filed: November 12, 1999

§ Group Art Unit: 2132
 § Examiner: Lanier, Benjamin E
 §
 §
 §
 §

For: BASE TRANSCEIVER STATION AUTOMATIC ENCRYPTION HANDLING

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Commissioner for Patents
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Date: November 3, 2004

Pamela S. Newton
 Pamela S. Newton

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181 and 1.8(b)**

It is respectfully requested that the holding of abandonment be withdrawn for the above-captioned application. The application was abandoned by the USPTO for Applicant's alleged failure to timely respond to the Office Action dated January 13, 2004. The Applicant contends that a response was timely filed.

The facts relating to the abandonment of this application are as follows:

1. A Final Office Action was issued on January 13, 2004. The Office Action specified a shortened statutory period for reply of three (3) months (i.e., April 13, 2004).
2. A telephone interview was conducted on March 15, 2004 between the Applicant's attorney, Steven W. Smith, Examiner Benjamin Lanier, and Supervisory Patent Examiner Gilberto Barron. Agreement was reached on several key issues.
3. On March 16, 2004 (one day after the telephone interview), the Applicant filed an *Amendment After Final and Request for Reconsideration* in which agreed upon amendments were made to the claims. A copy of the Amendment, as filed, is enclosed herewith. The Amendment was filed by fax, and a copy of a Transmission Verification Report from the Applicant's fax machine is also enclosed. The Transmission

Amendment - PAGE 1 of 2
 EUS/J/P/04-3680

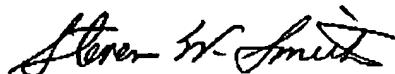
Attorney Docket No. P12856

Verification Report shows the date of transmission (03/16/2004) and that all ten (10) pages were transmitted without error.

4. A Notice of Abandonment was issued by the UPSTO on October 19, 2004 for Applicant's failure to timely file a proper reply to the Office Action of January 13, 2004.

The Applicant respectfully submits that this petition has been timely filed, and the evidence presented herewith is sufficient for the petition to be granted and for the holding of abandonment to be withdrawn.

Respectfully submitted,



Steven W. Smith
Registration No. 36,684

Date: 11-3-2004

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-1572
steve.xl.smith@ericsson.com

Amendment - PAGE 2 of 2
EUS/J/P/04-8880

PAGE 3/14 * RCVD AT 11/3/2004 10:54:23 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:9725837864 * DURATION (mm:ss):04-00

TRANSMISSION VERIFICATION REPORT

TIME : 03/16/2004 09:38
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March 16, 2004

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Date: March 18, 2004

Pamela S. Newton

Pamela S. Newton

Re: Patent Application for:
"BASE TRANSCEIVER STATION AUTOMATIC ENCRYPTION HANDLING"
 Serial No. 09/439,162
Attorney Docket No. P12856

Dear Sir:

Enclosed for filing please find the following items relating to the above-identified application:

- (1) Amendment Transmittal Letter (1 page); and
- (2) Amendment After Final and Request for Reconsideration (8 pages).